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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,174	06/16/2000	Teruhiko Kori	450100-2828.7	3363

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NEW YORK, NY 10151

EXAMINER

CHIEU, PO LIN

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/596,174

Applicant(s)

KORI ET AL.

Examiner

Polin Chieu

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-31 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 28-31 and 33-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 28-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagasawa (6,430,355).

Regarding claim 28, Nagasawa discloses a recording medium with a cartridge that includes a memory device separated from the recording medium (col. 12, lines 20-48); loading the recording medium cartridge into a reproducing apparatus (fig. 1); transmitting at least some of the information from the memory device included in the recording medium cartridge to the reproducing apparatus (1b); and reproducing the signals in accordance with the transmitted information (col. 12, line 20-48); wherein the transmitted information includes data identifying at least two of the signals recorded on the recording medium (col. 12, line 20-48) and specifies a predetermined order for the

identified signals, the predetermined order being different from the order in which the signals are recorded on the recording medium (col. 14, line 14 – col. 21, line 23). In other words, the editing device allows a predetermined reproduction order (note: the claim limitations do not specify a specific predetermined order; therefore, a predetermined reproduction order meets the limitations) to be specified other than the order in which the signals are recorded on the recording medium.

Regarding claim 29, Nagasawa discloses that the recording medium is a magnetic tape (fig. 1).

Regarding claim 30, Nagasawa discloses that the signal recorded on the recording medium include at least one video signal (col. 4, line 7-33).

Regarding claim 31, Nagasawa discloses that the information stored in the memory device includes text data (col. 12, lines 20-48).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagasawa in view of Yaegashi et al (5,956,453).

Regarding claim 33, many of the limitations were previously discussed in the art rejection of claim 28. Please refer to the art rejection of claim 28 for the discussion of

these limitations. However, Nagasawa does not disclose that the information stored in the memory device is stored in the form of a plurality of data packets, the size of and format of the data packets having been determined prior to the storing of the information in the memory device, and wherein the information is organized according to a hierarchical structure, the hierarchical structure including at least two levels.

Yaegashi et al teaches information stored in the memory device is stored in the form of a plurality of data packets (fig. 5), the size of and format of the data packets having been determined prior to the storing of the information in the memory device (fig. 5), and wherein the information is organized according to a hierarchical structure (fig. 6A), the hierarchical structure including at least two levels (fig. 6A).

It would have been highly desirable to have a data organizing a hierarchical structure so that editing is easier (col. 1, line 33 – col. 2, line 30).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have the data stored in the memory as discussed above in the device of Nagasawa.

The limitations of claims 34-35 were discussed in the art rejection of claims 29-30. Please refer to the art rejection of claims 29-30.

Regarding claim 36, the information of Yaegashi et al includes a level code indicative of the level within the hierarchical structure to which the data packet corresponds (fig. 5), as discussed previously.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sezan et al; Nakajima et al, Ten Kate et al, Norton, Okuyama, Wood et al, Setogawa et al, and Murata et al disclose various devices using a memory in cassette (MIC).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-Th 8:00 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B. Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

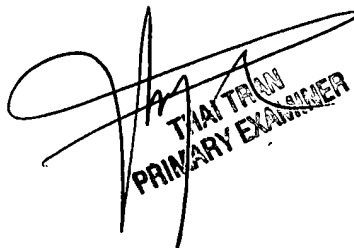
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.


THAI TRAN
PRIMARY EXAMINER